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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,018	01/21/2005	Akiya Taneda	032218-019	7122

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BUCHANAN, INGERSOLL & ROONEY PC  
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EXAMINER

WEBB, TIFFANY LOUISE

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/522,018	<b>Applicant(s)</b> TANEDA ET AL.	
	<b>Examiner</b> Tiffany L. Webb	<b>Art Unit</b> 3616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/28/06, 1/21/05</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-11 are objected to because of the following informalities: In line 1 of each claim, "device for vehicle" is improper grammar, the examiner suggests changing each claim to read "device for a vehicle." In claim 1, lines 2-3, "a vehicle" should read "the vehicle" since it has already been properly anteceded. Also, in claim 1, line 4, "connecting" should be "connected." Appropriate correction is required.
2. Claims 4-5 are objected to because of the following informalities: in line 3 of each claim, "stabilizer bar" should be plural when addressing the pair. Examiner suggests changing to "stabilizer bars." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is unclear to what is meaning by "opposed side faces" in lines 9-10. The examiner believes this is meant to read as "opposite faces."

Claim 6 is unclear to what is meant by "the rotor is supported at both sides of the motor and the first gear." It is not clear to where the stabilizer bar is meant to be supported.

Art Unit: 3616

Claim 8 recites the limitation "one of the stabilizer bar" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim as written. The examiner suggests changing to "the one of the pair of stabilizer bars."

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Schuelke et al. (US 6,425,585). Regarding claim 1, Schuelke et al. discloses a stabilizer control device for vehicle, comprising: a pair of stabilizer bars provided between a left wheel and a right wheel of a vehicle (see Figure 1); and an actuator (1,2) including a reduction mechanism (8) connecting between said pair of stabilizer bars and a motor (6) connected to the reduction mechanism for providing torsion force to said pair of stabilizer bars through the reduction mechanism; wherein the reduction mechanism comprises a first gear and a second gear (see Figure 2) for generating relative rotational speeds differential therebetween, the first gear and the second gear are coaxially placed adjacent to each other, and opposite faces of stabilizer bars are adjacently connected with the first gear and the second gear respectively and disposed in the reduction mechanism (see Figure 2). Regarding claim 3, Schuelke et al. discloses the first gear and the second gear are cooperatively associated with each other (col. 5, lines 25-45).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Schuelke et al. in view of Shimizu (US 4,660,669). Claims 1 and 3 of Schuelke et al. are discussed above. Further, regarding claim 5, Schuelke et al. discloses the motor and the reduction mechanism are disposed in a housing, and the other of the pair of stabilizer bar is integrally attached to the housing (see Figure 2). Regarding claim 7, Schuelke et al. discloses the other of the pair of stabilizer bar is integrally attached to the housing (1,2 and see Figure 2). However, Schuelke et al. fails to disclose specifics about the gears and the motor. Regarding claim 2, Shimizu discloses the first gear and the second gear include a pair of internal tooth gears with different number of teeth, and a common planetary gear train is engaged with both internal tooth gears (col. 4, lines 36-57). Regarding claim 4, Shimizu discloses the motor is a brush-less motor with a rotor (2a) and a stator (see Figure 1). Regarding claim 6, Shimizu discloses the motor and the reduction mechanism are disposed in a housing, and the one of the pair of shafts are connected to the first gear passing through the rotor is supported at both sides of the motor and the first gear (see Figure 1). Regarding claim 8, Shimizu discloses the stabilizer bar being attached to the housing by a spline (8a) connection.

Art Unit: 3616

Regarding claim 9, Shimizu discloses the planetary gear train including plural planetary gear sets (col. 4, lines 36-57). Regarding claim 10, Shmizu discloses the planetary gear train being a multistage planetary gear (col. 4, lines 36-57). Regarding claim 11, Shimizu discloses having a rotation detection means (5) is provided in the housing for detecting rotation. It would have been obvious to one of ordinary skill in the art at the time of the invention to to use the motor/actuator system of Shimizu in the stabilizer system of Schuelke et al. in order to provide a more accurate and responsive stabilizing system.

### ***Conclusion***

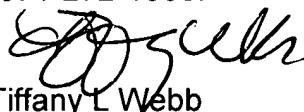
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are stabilizer systems with actuators: Kuroki et al. (US 4,796,911), Urbach (US 6,457,730), Germano et al. (US 6,805,361), Hagan (US 6,698,767), Kincad et al. (US 6,428,019), Urbach (US 2002/0113393), Ignatius et al. (US 2002/0121748), Schmidt et al. (US 2002/0180167), Hagan (US 203/0168820), and Heller et al. (US 2004/0217560).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany L. Webb whose telephone number is 571-272-2797. The examiner can normally be reached on 8-4:30 M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Tiffany L Webb  
Examiner  
Art Unit 3616

tlw

  
PAUL H. DICKSON 10/2/06  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3300